

EXHIBIT U

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

LINDA JANN LEWIS, MADISON LEE,
ELLEN SWEETS, BENNY ALEXANDER,
GEORGE MORGAN, VOTO LATINO,
TEXAS STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
and TEXAS ALLIANCE FOR RETIRED
AMERICANS,

Plaintiffs,

vs.

RUTH HUGHS, in her official capacity as
Texas Secretary of State,

Defendant.

Civil Action No. 5:20-cv-00577

Related to *Gloria et al. v. Hughs et al.*,
No. 5:20-cv-00527

DECLARATION OF DARYL JONES IN SUPPORT OF PLAINTIFFS' MOTION

Pursuant to 20 U.S.C. § 1746, I, Daryl Jones, declare as follows:

1. My name is Daryl Jones. I am over the age of 18, have personal knowledge of the facts stated in this declaration, and can competently testify to their truth.

2. I live in Austin, Texas, and am a registered voter in Travis County. I am 65 years old and a member of the Texas Alliance for Retired Americans ("TARA"). I was a music teacher in Texas public schools for 40 years, and I retired in 2017. Since my retirement, I have been actively involved in the Travis County Democratic Party, the Texas Democratic Party, and TARA. I also work as an elections judge in Travis County and since March have been on the Travis County Ballot Board.

3. I was put on the Ballot Board after being selected by the county Democratic party. My job on the Ballot Board is to review marked, returned mail-in ballots to ensure that those ballots

comply with Texas election law. When reviewing ballots, I am paired with a Ballot Board member who was appointed by the county Republican party to ensure bipartisan integrity. The first step in reviewing these ballots is to verify that the signature on the ballot carrier envelope matches the signature on the application to vote by mail. To do this, our pair scans a barcode that is included on the ballot carrier envelope, which pulls up a PDF of the same voter's signature on the application to vote by mail. As a pair, we determine whether those signature match just by looking at them and seeing whether they look to be signed by the same person. We do not use any forensic techniques to verify signatures and are not trained to do so.

4. We were instructed by the presiding judge of the Ballot Board to approve the signatures if they look close, understanding that the appearance of one person's signature can vary. For example, if I wrote my signature five times on a piece of paper, those five signatures would not look identical. As a result of the presiding judge's instruction, my Republican partner and I end up approving most, if not all, signatures.

5. However, because ballots are reviewed by different teams of laypeople with no expert training in signature matching, I believe that it is possible that one team might immediately approve a signature, while another team, if they were to review the same ballot, would not, and would then send that ballot on for further review by a county election official. I am confident in the integrity of that second official in Travis County, but am not confident that every county in Texas has an election official that reviews questionable signatures with the same commitment to fairness as the official in Travis County. I have read articles discussing signature verification in other states in which election officials eager to reject mail-in ballots have rejected signatures because, for example, the voter's middle name was not signed on the ballot.

6. I think it is very important for voters who submit mail-in ballots to have an opportunity to confirm that they signed their ballots if the Ballot Board cannot match that voter's signatures. I understand that the county may need to hire more staff to contact these voters, but that burden is minimal compared to the fact that voters whose mail-in ballots are rejected will be disenfranchised in that election. I also know that there is a cure process for in-person provisional ballots, so I don't see why the county cannot also provide a cure process for mail-in ballots that have been rejected.

7. Beyond my work as a Ballot Board member, I also volunteer on the Texas Democratic Party's vote-by-mail hotline. Texans who intend to vote by mail—mostly those over the age of 65—are able to call the hotline to ask questions. One day, I answered a hotline call from an elderly lady in Houston. She sounded very old and frail, and like she would be incapable of going to a polling place to vote in person even if the current public health crisis did not pose a significant risk to her health. She was calling because she said that she did not have postage to return her application to vote by mail and didn't know what to do. I asked her if she had anyone that could bring her stamps, and she said she didn't have any friends or neighbors that would be willing to help her. I just didn't know what to tell her. It occurred to me while speaking to her that if she couldn't find postage to mail in her application, she would also struggle to find postage to return a mail-in ballot. A solution to this problem would be to provide prepaid postage to return marked mail-in ballots.

8. I spend a lot of time and effort volunteering to encourage voting and educate Texans on the ways in which they can cast their ballots. I feel that this work is especially important now, when many elderly people will be unable or unwilling to vote in-person because of the COVID-

19 pandemic. The Signature Match Requirement and the Postage Tax frustrate my hard work by making it much more difficult for voters to have their mail-in ballots counted.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: June 17, 2020

By: 
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Daryl Jones